

II. REMARKS

A. Status of the Claims

Claims 1-51 were pending in the case at the time of the Office Action. Claims 5, 30, and 38-51 are withdrawn from consideration because they are not directed to the elected species of “growth factor.” Claims 1, 11, 24, 36, and 37 have been amended in the Amendment set forth herein. Claims 2-3, 12-23, and 25-26 have been canceled without prejudice or disclaimer. No new claims have been added. Support for the amendments of the claims can be found generally throughout the specification, such as in the claims as originally filed and on page 11, line 24 – page 12, line 6; page 5, lines 12-23; page 6, lines 1-11; and page 9, lines 18-20. Thus, claims 1, 4, 6-11, 24, 27-29, 31-37, and 40 are currently under consideration and presented for reconsideration.

B. Remarks

In response to the Notice of Non-Compliant Amendment, claims 5, 30, and 47 have been designated as “withdrawn.” Applicants note that claims 5, 30, and 47 are subgeneric to the elected species of “growth factor.” Applicants note that upon the allowance of a generic claim (such as any of claims 1 or 24), Applicants will be entitled to consideration of claims to additional species which depend from or otherwise require all of the limitations of an allowable generic claim as provided by 37 C.F.R. §1.141. Applicants’ response to the Office Action dated Feb. 5, 2008 was filed on June 4, 2008, and it is respectfully requested that the amendment submitted herein be entered.

C. Conclusion

In view of the foregoing, it is respectfully submitted that each of the pending claims is in condition for allowance, and a Notice of Allowance is earnestly solicited. The Examiner is invited to contact the undersigned attorney at (512) 536-5639 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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